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1 JEFF W. REISIG  
DISTRICT ATTORNEY OF YOLO COUNTY  
2 By: GARRETT HAMILTON/173423  
Supervising Deputy District Attorney  
3 301 Second Street  
Woodland, California 95695  
4 Telephone: (530) 666-8180  
DA File Number: 08H03355  
5 Attorney for People

**FILED**  
**YOLO SUPERIOR COURT**

MAR 11 2010

By C. Garrett  
Deputy

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF YOLO

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12  
13 THE PEOPLE OF THE STATE OF  
14 CALIFORNIA,

15 Plaintiff,

16 vs.

17 MARCO ANTONIO TOPETE,

18  
19 Defendant(s)

Dept. 6

Case No. 08-3355

PEOPLE'S STATEMENT PER THE  
COURT'S ORDER

DATE: March 12, 2010

TIME: 8:30 a.m.

DEPT: 6

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21 To the Honorable Judge Paul K. Richardson:

22 **Declaration of Garrett Hamilton**


23 I, Garrett L. Hamilton, am one of the prosecutors assigned  
24 to prosecute the above entitled case. Earlier this week I spoke  
25 with Mr. Tom Purtell. He informed me that Mr. Hayes Gable is  
26 engaged in a jury trial in Sacramento Superior Court this week.  
27 Mr. Purtell and I discussed the Court's Order dated March 5th,  
28 2010 and the issues in the order. I informed him and hereby

1 inform the court that at this time the People have no motions to  
2 file for the guilt phase in this case. To date, we have received  
3 no discovery from defense counsel in this case. Should we  
4 receive discovery prior to the trial, it is conceivable that we  
5 would have motions to file, particularly motions in limine.

6 Should the case go to a penalty phase, it is likely that we  
7 will have motions in limine to file.

8 I declare under penalty of perjury that the foregoing is  
9 correct.

10 Executed on March 11, 2010, at Woodland, California.

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13 GARRETT HAMILTON  
14 Supervising Deputy District Attorney  
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PROOF OF SERVICE

I, WENDY WILCOX, declare that I am a resident of the County of Yolo; I am over the age of eighteen years and not a party to the within entitled action; my business address is 301 Second Street, Woodland, California 95695.

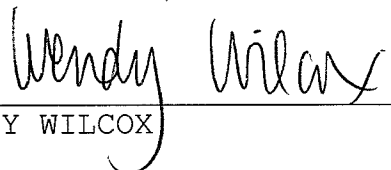
On March 11, 2010, I served the within PEOPLE'S STATEMENT PER THE COURT'S ORDER on counsel for defendant in this action, by faxing a true copy thereof to (530) 662-3018 and (916) 447-2988 and by placing a true copy thereof enclosed in a sealed envelope and deposited the same in the United States mail at Woodland, California, addressed to the counsel of record in this action, as follows:

THOMAS PURTELL  
ATTORNEY AT LAW  
430 3RD STREET  
WOODLAND, CA 95695

HAYES GABLE  
ATTORNEY AT LAW  
428 J ST., STE. 354  
SACRAMENTO, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 11, 2010, at Woodland, California

  
\_\_\_\_\_  
WENDY WILCOX